

87<sup>th</sup> Legislative Session – 2012

Committee: Senate Local Government

Monday, February 13, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Bradford  
P Hunhoff (Jean)  
P Lederman  
P Nelson (Tom)  
P Tieszen  
P Holien, Vice-Chair  
P Schlekeway, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Schlekeway.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 8, 2012

Moved by: Holien  
Second by: Lederman  
Action: Prevailed by voice vote.

SB 128: revise certain provisions concerning elections.

Presented by: Senator Dan Lederman  
Proponents: Jason Gant, Office of the Secretary of State

MOTION: DO PASS SB 128

Moved by: Lederman  
Second by: Nelson (Tom)  
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Bradford, Lederman, Nelson (Tom), Holien, Schlekeway

Excused: Hunhoff (Jean), Tieszen

MOTION: PLACE SB 128 ON CONSENT CALENDAR

Moved by: Lederman

Second by: Nelson (Tom)

Action: Failed by voice vote.

MOTION: RECONSIDER SB 171

Moved by: Lederman

Second by: Nelson (Tom)

Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Bradford, Lederman, Nelson (Tom), Holien, Schlekeway

Excused: Hunhoff (Jean), Tieszen

MOTION: CONSIDER SB 171 IMMEDIATELY.

Moved by: Lederman

Second by: Nelson (Tom)

Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Bradford, Lederman, Nelson (Tom), Holien, Schlekeway

Excused: Hunhoff (Jean), Tieszen

SB 171: revise voter qualifications for sanitary districts.

Presented by: Senator Dan Lederman

Proponents: Joel Arends, self, Sioux Falls

Jason Gant, Office of the Secretary of State

Opponents: Yvonne Taylor, SD Municipal League

Roger Tellinghusen, South Dakota Association of County Officials

MOTION: AMEND SB 171

171fb

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. If any error is made to the printing of the ballot or in the conduct of the person in charge of the election for any nonfederal or nonstate election that disqualified a number of ballots that is equal to or greater than the margin of the total votes cast for a candidate or ballot question as determined by a court order, a runoff shall be conducted. The cost of the runoff election shall be paid by the political subdivision that made the error."

Moved by: Lederman  
Second by: Nelson (Tom)  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 171 AS AMENDED

Moved by: Lederman  
Second by: Nelson (Tom)  
Action: Prevailed by roll call vote. (4-1-2-0)

Voting Yes: Bradford, Lederman, Nelson (Tom), Holien

Voting No: Schlekeway

Excused: Hunhoff (Jean), Tieszen

MOTION: AMEND TITLE OF SB 171

171ftb

On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "provide for a runoff election under certain circumstances when errors have been made to the ballot printing or by the person in charge of the election.".

Moved by: Lederman  
Second by: Holien  
Action: Prevailed by voice vote.

HB 1203: revise auditing requirements for water development districts.

Presented by: Representative Jamie Boomgarden  
Proponents: Brad Preheim, Vermillion Basin Water District

Lynnette Eckert, Central Plains Water Development District  
Jay Gilbertson, East Dakota Water District

MOTION: DO PASS HB 1203

Moved by: Bradford  
Second by: Lederman  
Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Bradford, Lederman, Nelson (Tom), Holien, Schlekeway

Voting No: Hunhoff (Jean)

Excused: Tieszen

MOTION: ADJOURN

Moved by: Holien  
Second by: Bradford  
Action: Prevailed by voice vote.

Jeanette Black  
Committee Secretary

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Todd Schlekeway, Chair